

09/868131  
002.00160

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Cohen et al.	)	
		)	
Serial No.:	09/868,131	)	Examiner:
		)	
Filed:	April 11, 2002	)	
		)	Art Unit:
For:	METHODS	)	
		)	

## CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Commissioner for Patents  
Box PCT  
U.S. Patent and Trademark Office  
Washington, D.C. 20231

Dear Sir:

I hereby certify that this Response to Notification of Defective Response (1 pg) with Copy of Notification, Sequence Listing pages 1-21 with 3 1/2" diskette and 1.821(f) Statement, and Preliminary Amendment (2 pgs) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, Box PCT, U.S. Patent and Trademark Office, Washington, D.C. 20231 on

July 31, 2002

(Date)

Susan J. Braman

Susan J. Braman

"Express Mail" Mailing Label Number ET730024747US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Cohen et al.  
Serial No.: 09/868,131  
Filed: April 11, 2002  
For: METHODS

## RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Commissioner for Patents  
Box PCT  
U.S. Patent and Trademark Office  
Washington, D.C. 20231

Dear Sir:

In response to the Notification of Defective Response, which was mailed by the United States Patent and Trademark Office on **July 2, 2002**, enclosed are:

- (X) Preliminary Amendment (2 pgs)
- (X) Sequence Listing (21 pgs), 3.5" Diskette in computer readable form & 1.821(f) Statement (1 pg)
- (X) A copy of the Notification of Defective Response (5 pgs)
- (X) The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account No. 50-0772.

Dated: July 31, 2002

Susan J. Braman  
Susan J. Braman  
Reg. No. 34,103

Braman & Rogalskyj, LLP  
P.O. Box 352  
Canandaigua, New York 14424-0352  
Telephone: (585) 393-3002  
Facsimile: (585) 393-3001



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/868,131	Philip Cohen	002.00160

INTERNATIONAL APPLICATION NO.
-------------------------------

PCT/GB99/04232

I.A. FILING DATE	PRIORITY DATE
12/14/1999	12/14/1998

Susan J Braman  
 Braman & Rogalskyj  
 P O Box 352  
 Canandaigua, NY 14424-0352

CONFIRMATION NO. 5850

371 FORMALITIES LETTER



\*OC00000008386179\*

Date Mailed: 07/02/2002

### NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

**Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).**

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
  - APPLICANT MUST PROVIDE:

- An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.

● For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)
- A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

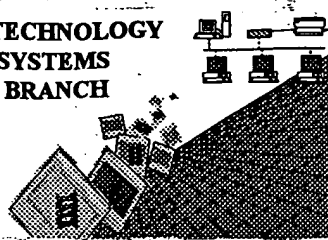
Telephone: (703) 305-6421

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/868,131	PCT/GB99/04232	022.00160

## **RAW SEQUENCE LISTING** **ERROR REPORT**

BIOTECHNOLOGY  
SYSTEMS  
BRANCH



The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/868,131  
Source: PLT/09  
Date Processed by STIC: 6/5/2002

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: [patin3help@uspto.gov](mailto:patin3help@uspto.gov) or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE **CHECKER VERSION 3.1 PROGRAM**, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom:

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebs/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:  
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7<sup>th</sup> Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202  
Or  
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002



PCT09

## RAW SEQUENCE LISTING

DATE: 06/05/2002

PATENT APPLICATION: US/09/868,131

TIME: 17:30:36

Input Set : A:\00200160seq.TXT

Output Set: N:\CRF3\06052002\I868131.raw

**Does Not Comply  
Corrected Diskette Needed**

5 <110> APPLICANT: Cohen, Philip  
 6 Kobayashi, Takayasu  
 7 Deak, Maria  
 9 <120> TITLE OF INVENTION: Methods  
 11 <130> FILE REFERENCE: 002.00160  
 13 <140> CURRENT APPLICATION NUMBER: US 09/868,131  
 14 <141> CURRENT FILING DATE: 2002-04-11  
 16 <150> PRIOR APPLICATION NUMBER: PCT/GB99/04232  
 17 <151> PRIOR FILING DATE: 1999-12-14  
 19 <150> PRIOR APPLICATION NUMBER: GB 9919676.8  
 20 <151> PRIOR FILING DATE: 1999-08-19  
 22 <150> PRIOR APPLICATION NUMBER: US 60/112,217  
 23 <151> PRIOR FILING DATE: 1998-12-14  
 25 <160> NUMBER OF SEQ ID NOS: 44  
 27 <170> SOFTWARE: PatentIn Ver. 2.0

## ERRORED SEQUENCES

654 <210> SEQ ID NO: 9  
 656 <211> LENGTH: 72 73 shown below  
 658 <212> TYPE: DNA  
 660 <213> ORGANISM: Artificial Sequence  
 664 <220> FEATURE:  
 666 <223> OTHER INFORMATION: Description of Artificial Sequence: PCR PRIMER  
 670 <400> SEQUENCE: 9  
 672 acacggatcc gccaccatgt atccatatga tgttccagat tatgctacgg tgaaaactga 60  
 E--> 674 ggctgctaag ggc 73 ←

VERIFICATION SUMMARY

PATENT APPLICATION: US/09/868,131

DATE: 06/05/2002

TIME: 17:30:38

Input Set : A:\00200160seq.TXT

Output Set: N:\CRF3\06052002\I868131.raw

L:14 M:271 C: Current Filing Date differs, Replaced Current Filing Date

L:674 M:252 E: No. of Seq. differs, <211> LENGTH:Input:72 Found:73 SEQ:9